

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

TERRY E. SHOTTS,

Petitioner,

v.

JOHN EVANS,

Respondent.

No. 07-357-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is Petitioner's motion to restrict public access and to seal (Doc. 70). Petitioner asks that Exhibit B to his Supplemental Arguments be filed under seal, as the exhibit contains the name of an alleged minor, pursuant to the Report of the Judicial Conference Committee on Court Administration and Case Management on Privacy and Public Access to Electronic Case Files and Magistrate Judge Proud's August 29, 2007 Order.¹ Based on the reasons in the motion, the Court **DENIES** Petitioner's motion to seal Exhibit B (Doc. 70). The Court, having

¹ Judge Proud noted that the Report of the Judicial Conference Committee on Court Administration and Case Management on Privacy and Public Access to Electronic Case Files recommends that, while documents in civil case files should be made available electronically, children should be identified by their initials only. See, <http://www.privacy.uscourts.gov/Policy.htm>. The policy of keeping private the names of minors is particularly applicable in the case of minor victims of sexual abuse. "[F]ictitious names are allowed when necessary to protect the privacy of children, rape victims and other particularly vulnerable parties or witnesses." *Doe v. Blue Cross & Blue Shield United of Wisconsin*, 112 F.3d 869, 872 (7th Cir. 1997). Judge Proud instructed the parties to file a motion to seal documents should any of the documents submitted to the Court contain the full names of minor victims or witnesses.

determined that Exhibit B contains the full names of minors, finds it must strike and remove document 72 from the record as Plaintiff did not comply with the very privacy policy he cited. The policy specifically provides that a litigant is to redact the names of minors leaving only the first initials of the names. Therefore, Plaintiff will have to resubmit the exhibit, in compliance with the policy of Congress and the Judicial Conference redacting the name of the minor leaving in its place only the initials B.K., with the balance of the names blackened out. The document then shall not be sealed. The Clerk is directed to remove document 72 from the record.

IT IS SO ORDERED.

Signed this 1st day of September, 2009.

/s/ David R. Herndon

**Chief Judge
United States District Court**